FILED DEC X 3 2008 1 KEKER & VAN NEST, LLP DARALYN J. DURIE - #169825 2 EUGENE M. PAIGE - #202849 RYAN M. KENT - #220441 3 SONALI D. MAITRA – #254896 RICHARD W. WIEKING 710 Sansome Street CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA San Francisco, CA 94111-1704 Telephone: (415) 391-5400 Facsimile: (415) 397-7188 5 6 Attorneys for Defendants WELLS FARGO BANK, N.A. and 7 WELLS FARGO FUNDS MANAGEMENT, LLC 8 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 SAN FRANCISCO DIVISION 12 13 PHOENIX SOLUTIONS, INC., a California Case No. CV 08-0863 MHP corporation, 14 [PROPOSED] ORDER GRANTING Plaintiff, DEFENDANTS' REQUEST TO SET UP 15 ELECTRONIC EOUIPMENT FOR **HEARING ON DECEMBER 4, 2008** v. 16 WELLS FARGO BANK, N.A., a Delaware 17 corporation, and WELLS FARGO FUNDS MANAGEMENT, LLC, a Delaware limited 18 liability company, 19 Defendants. 20 21 22 23 24 25 26 27 28

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